

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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PLEASE NOTE:
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FOLLOWING:

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT AND DESIGN APPLICATIONS

ATTORNEY DOCKET NO.
2360-241P

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

TELEPHONE SET WITH A HANDSET HAVING A MOUTHPIECE
AND/OR AN EARPIECE

Fill in Appropriate
Information -
For Use Without
Specification
Attached:

the specification of which is attached hereto. If not attached hereto,

the specification was filed on _____ as
United States Application Number _____; and /or

the specification was filed on _____ as PCT
International Application Number _____; and was
amended under PCT Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Insert Priority
Information:
(if appropriate)

➔ Prior Foreign Application(s)

1843/95-9	Switzerland	6/23/95
(Number)	(Country)	(Month/Day/Year Filed)
575/96	Switzerland	5/3/96
(Number)	(Country)	(Month/Day/Year Filed)
679/96	Switzerland	3/14/96
(Number)	(Country)	(Month/Day/Year Filed)
7/96	Gambia	1/5/96
(Number)	(Country)	(Month/Day/Year Filed)
678/96	Switzerland	3/14/96
(Number)	(Country)	(Month/Day/Year Filed)
1236/96	Switzerland	5/15/96
(Number)	(Country)	(Month/Day/Year Filed)

Priority Claimed

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Insert Provisional
Application(s):
(if any)

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More Than 12 Months (6 Months for Designs) Prior To The Filing Date of This Application:

Insert Requested
Information:
(if appropriate)

Country	Application No.	Date of Filing (Month/Day/Year)

Insert Prior U.S.
Application(s):
(if any)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application paper to the attorneys identified below, unless the inventor(s) or assigner provides said attorneys with a written notice to the contrary:

Terrell C. Birch	(Reg. No. 19,582)	Raymond C. Stewart	(Reg. No. 21,066)
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PLEASE NOTE:
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First or Sole Inventor:
Print Name of Inventor
Print Date Title
Print Residence
Print Citizenship
Print Post Office Address
Print Name of Second Inventor, if any.
see above

Full Name of Third Inventor, if any
see above

Full Name of Fourth Inventor, if any
see above

Full Name of Fifth Inventor, if any
see above

GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Andreas	PEIKER	<i>[Signature]</i>	X 08/12/97
Residence (City, State & Country)		CITIZENSHIP	
Friedrichsdorf Germany		German	
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			

* DATE OF SIGNATURE

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Applicant or Patentee: Andreas PEIKER

Attorney's Docket No.: 2360-241P

Serial or Patent No.: New

Filed or issued: December 23, 1997

For: TELEPHONE SET WITH A HANDSET HAVING A MOUTHPIECE AND/OR AN EARPIECE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. §1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled Telephone Set With A Handset Having A Mouthpiece and/or An Earpiece described in

☒ the specification filed herewith
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. §1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ No such person, concern, or organization
☐ persons, concerns or organizations listed below

*NOTE: Separate verified statements are required from each person, concern or organization having rights to the invention owing to their status as small entities. (37 C.F.R. §1.27)

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.26(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR <u>Andreas Peiker</u>	NAME OF INVENTOR	NAME OF INVENTOR
Signature of Inventor <u>[Signature]</u>	Signature of Inventor	Signature of Inventor
Date <u>08/12/97</u>	Date	Date

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